

REMARKS

This Amendment is in response to the outstanding Office Action dated December 5, 2002. Claims 4-12 were rejected under the nonstatutory double patenting objection based on a judicially created doctrine in view of *Nordin*, U.S. Patent No. 5,804,274 ("the '274 patent"). Applicant respectfully traverses the Examiner's rejection and requests reconsideration and allowance of claims 4-12 that are pending in the above-identified patent application, as well as added claims 13-14. Applicant has amended claim 4 and added claims 13 and 14. No new matter has been added by these changes.

The Examiner also rejects claims 4-12 under 35 U.S.C. § 103(a) as being unpatentable over *Nordin* (WO 96/10946) ("PCT"). The Examiner essentially contends that *Nordin* discloses a mop comprised of microfibers having a DTEX below 1. The Examiner further admits that *Nordin* does not specifically teach loop height; however, the Examiner contends that it would have been obvious to a person having ordinary skill in the art to modify the length of the loops in order to optimize friction, brushing, and accumulation properties of the mop.

Claim 4, as amended, discloses a dry mop with a first and second surface comprised of ultra-micro fibers having a count of 0.25 to 0.60 DTEX per fiber throughout the entire mop. The advantage of having a DTEX throughout the entire mop of less than 1 is that the yarn thickness is a factor which enables the fabric to remain upright when a downward force is placed against the mop. In contrast the '274 patent specifically states that: "The loops 3 having a longer length consist of yarn with a more normal fibre fineness, i.e. substantially above 1 Dtex." (See column 2, lines 60-62.) The PCT application also specifically discloses this factor at page 2, lines 31-33. Thus, the PCT and the '274 patent do not disclose a yarn

thickness that would enable the loops to remain vertically upright when a downward force is placed upon the mop.

Applicant has added new claims 13 and 14 and submits that these claims are patentable over the cited art of record. New independent claim 13 and dependent claim 14 not only disclose a dry mop fabric having a first surface and second surface comprised of micro or ultramicro-fiber have a count of at a maximum 0.60 DTEX per fiber, but also include the further limitation wherein loops are so proportioned when the fabric is pressed against a surface underneath that the loops remain upright or lay at an angle of no more than 45 degrees to an imaginary vertical line. The dry mop fabric has the ability to maintain this vertical upright position due to the fact that the woven or knitted loops are proportioned so that the loops remain upright or lay at the angle of no more than 45 degrees to an imaginary vertical line. This result is achieved by varying several factors including the number of loops per unit area, the yarn thickness and the loop height proportion. Significantly, in order for the loops to remain upright, each loop on both the first surface and second surface must be substantially the same length. Support for this can be found at paragraph [0016] of the present application.

Conversely, neither Nordin, U.S. Patent No. 5,804,274 or Nordin (WO 96/10946) are able to achieve or teach loops that remain upright or lay at an angle of no more than 45 degrees to an imaginary vertical line when a force is exerted downward on the mop against a surface. This is due to the fact that both the '274 patent and the PCT application both disclose a mop having large and small loops on their first and second surfaces. (See page 5, lines 1-10 of the PCT application; see column 2, lines 57-65 of the '274 patent.) The long loops in the PCT and the '274 patent are not able to be supported in an upright

position due to the fact that shorter loops are intertwined between each of the longer loops. As compared to the present application, each loop is of similar size, thus can be supported by adjacent loops while a downward force is placed upon the mop.

A propulsive effect of the dirt particles or other impurities arises because of the position, flatness, and closeness of the fibers across the entire surface of the mop and the fact that they remain in this position while a downward force is placed upon the mop, and it moves forward and backward. A relatively high loop height combined with the collectively large fiber surface contributes to the mop's ability to accumulate a large quantity of grime or dirt particles. The cleaning action is thus highly effective because of the microfiber's extreme softness, the length and closeness of the loops and the count and surface dimensions of the fibers. Even though the fibers are soft and the loops are long, the loops will still not be flattened out because they support each other owing to their closeness and similar size. Accordingly, it is respectfully submitted that claims 4-14 are in condition for allowance. For the reasons set forth above, the rejections in the Office Action are respectfully traversed.

As it is believed that all of the rejections set forth in the Official Action have been fully met, favorable reconsideration and allowance are earnestly solicited.

Attached hereto is a marked-up version of the changes made to the specification and claims by the current amendment. The attached page is captioned "Version with markings to show changes made".

If, however, for any reason the Examiner does not believe that such action can be taken at this time, it is respectfully requested that he telephone applicant's attorney at

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(908) 654-5000 in order to overcome any additional objections which he might have.

If there are any additional charges in connection with this requested amendment, the Examiner is authorized to charge Deposit Account No. 12-1095 therefor.

Dated: April 4, 2003

Respectfully submitted,

By 

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Version With Markings to Show Changes Made

IN THE CLAIMS:

4. (AMENDED) A dry mop fabric having a first surface and a second surface for cleaning soiled surfaces comprising a micro- or ultramicro-fiber having a count of ~~from~~ at a maximum 0.60 to at a minimum 0.25 DTEX per fiber, said fiber being woven so as to provide loops on at least one of said first and second surfaces, said loops having a height of from 3 to 9 mm.

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